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10/574,759	04/03/2006	Eliyahu Marmor	018/05154	2224
44909	7590	12/23/2009	EXAMINER	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/574,759

**Applicant(s)**

MARMOR, ELIYAHU

**Examiner**

YVES DALENCOURT

**Art Unit**

2457

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 September 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-32, 35-42 and 48-55 is/are pending in the application.
- 4a) Of the above claim(s) 55 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32, 35-42 and 48-54 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB06)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notes of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date 08/04/2008

### **DETAILED ACTION**

This office action is responsive to election with traverse filed on 09/24/2009.

#### ***Claim Objections***

Claims 3 and 9 are objected to because of the following informalities: It is suggested to insert apparatus (line 1 after intermediary). Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 24, 31, 35 – 40, and 48 – 54 are rejected under 35 U.S.C. 102(b) as being anticipated by Wies et al (US 6,161,126; hereinafter Wies).

Wies discloses a method of defining customization for electronic content retrieved over an electronic connection, comprising: retrieving electronic content from a remote server to a local client, through an intermediary apparatus (col. 2, lines 9 – 34; col. 3, lines 24 - 34); (b) editing the content at the local client by a user using a WYSIWYG editor, wherein said editor is a standard software used for displaying of content and wherein said editing does not require installation of software requiring user authorization (figs. 17a – 17b; col. 30, line 52 –through col. 31, line 41); automatically

generating at least one customization definition based on said editing, said customization definition suitable for automatic applying to said content (col. 3, lines 35 – 64; col. 35, lines 1 - 26); and modifying data provided at a later time according to the at least one customization definition, wherein the intermediary apparatus supports the editing at the local client (col. 19, line 50 through col. 20, line 39; col. 41, line 57 through col. 42, line 20).

Regarding claim 2, Wies discloses the method according to claim 1, wherein said retrieving comprises retrieving a tagged data file (col. 18, lines 25 – 45; col. 18, line 66 through col. 19, line 10).

Regarding claim 3, Wies discloses the method according to claim 2, wherein said intermediary is an HTTP intermediary (col. 27, lines 28 – 53; col. 28, lines 20 - 43).

Regarding claim 4, Wies discloses the method according to claim 3, wherein said tagged data file is in a self-describing language (col. 27, lines 28 – 53; col. 28, lines 20 - 43).

Regarding claim 5, Wies discloses the method according to claim 4, wherein said language is a hyper-text mark-up language (col. 27, line 54 through col. 28, line 43).

Regarding claim 6, Wies discloses the method according to claim 3, wherein said editor comprises an internet browser (col. 2, lines 35 – 48; col. 11, lines 8 – 31; col. 19, line 50 through col. 20, line 21).

Regarding claim 7, Wies discloses the method according to claim 3, wherein automatically generating comprises detecting changes in said content caused by said editing, after said editing is preformed (col. 27, lines 3 – 20; col. 36, lines 1 - 53).

Regarding claim 8, Wies discloses the method according to claim 7, wherein detecting changes comprises detecting changes using a hierarchical comparison of the electronic content before and after the editing (col. 20, lines 22 - 39).

Regarding claim 9, Wies discloses the method according to claim 3, wherein said intermediary comprises a proxy (col. 27, lines 28 - 38).

Regarding claim 10, Wies discloses the method according to claim 3, wherein the intermediary modifies the retrieved content to allow at least one of said editing of the content at the local client or the automatically generating of the at least one customization definition (col. 3, lines 35 - 64; col. 35, lines 1 - 26).

Regarding claim 11, Wies discloses the method according to claim 10, wherein said modifying of the retrieved content comprises marking at least some of said content as editable (col. 4, lines 23 - 49).

Regarding claim 12, Wies discloses the method according to claim 10, wherein said modifying of the retrieved content comprises adding at least one control to said content (col. 19, lines 20 - 37).

Regarding claim 13, Wies discloses the method according to claim 10, wherein said modifying of the retrieved content comprises adding at least one client side code module to said content (col. 4, lines 23 - 49).

Regarding claim 14, Wies discloses the method according to claim 3, wherein automatically generating the at least one customization definition based on said editing comprises defining a spatial area to be customized (col. 39, lines 12 - 28).

Regarding claim 15, Wies discloses the method according to claim 3, comprising overriding at least one automatically generated customization definition by said user (col. 16, lines 27 - 45).

Regarding claim 16, Wies discloses the method according to claim 3, wherein said editing comprises editing without typing human understandable words (col. 30, line 52 through col. 31, line 41).

Regarding claim 17, Wies discloses the method according to claim 3, wherein said editing comprises editing by selection among choices (col. 30, line 52 through col. 31, line 41).

Regarding claim 18, Wies discloses the method according to claim 3, comprising manually defining at least one parameter of a customization definition (col. 3, lines 23 - 49).

Regarding claim 19, Wies discloses the method according to claim 18, wherein said manually defining comprises defining different types of translation for different parts of said content (col. 26, line 62 through col. 27, line 2).

Regarding claim 20, Wies discloses the method according to claim 15, wherein said overriding comprises requiring an exact match of an element of said content to a definition, for a customization to be applied (col. 16, lines 27 - 63).

Regarding claim 21, Wies discloses the method according to claim 15, wherein said overriding comprises allowing a match other than a one-to-one match to a definition, for a customization to be applied (col. 16, lines 27 - 63).

Regarding claim 22, Wies discloses the method according to claim 3, wherein a customization definition is defined by a context in said content (col. 30, line 52 through col. 31, line 41).

Regarding claim 23, Wies discloses the method according to claim 22, wherein said context is an expression defining elements in said content to be part of the context (col. 30, line 52 through col. 31, line 41).

Regarding claim 24, Wies discloses the method according to claim 23, wherein said expression is a hierarchical expression (col. 30, line 52 through col. 31, line 41).

Regarding claim 29, Wies discloses the method according to claim 22, wherein a context is defined based on a spatial location, during a display of the content, of a label associated with an element to be customized (col. 38, line 3 through col. 39, line 28).

Regarding claim 30, Wies discloses the method according to claim 29, wherein an association of a label and an element is identified using a browser-internal script which finds spatial positions of the labels and spatial positions of nearby elements (col. 27, lines 3 – 38; col. 38, line 3 through col. 39, line 28).

Regarding claim 31, Wies discloses the method according to claim 3, wherein said intermediary authorizes said user to perform said editing (col. 38, line 3 through col. 39, line 28).

Regarding claim 32, Wies discloses the method according to claim 1, wherein the at least one customization definition is passed from said clients to said intermediary (col. 38, line 3 through col. 39, line 28).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 25 – 30 and 41 – 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wies et al (US 6,161,126; hereinafter Wies) in view of Larcheveque et al (US 20090138790; hereinafter Larcheveque).

Regarding claim 25, Wies discloses substantially all the limitations, but fails to specifically disclose that said expression is an XPath or XPath-like type expression.

However, Larcheveque discloses an analogous structural editing with schema awareness, which chows an XPath or XPath-like type expression (paragraph [0006]). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Wies by incorporating an XPath or XPath-like type expression as evidenced by Larcheveque for the purpose of addressing and filtering the elements and text of XML documents, thereby reducing the size of the semantic information required to transform the structure data into the rendered structure document, which would in turn advantageously improve the performance of the rendering.

Regarding claim 26, Wies and Larcheveque disclose all the limitations in claim 26, and Larcheveque further discloses that said expression is generated automatically (paragraphs [0020], [0078], [0098], and [0102]). See motivation applied in claim 25.



Regarding claim 27, Wies and Larcheveque disclose all the limitations in claim 25, and Larcheveque further discloses that said expression is generated in response to an editing activity (paragraphs [0020], [0078], [0098], and [0102]). See motivation applied in claim 25.

Regarding claim 28, Wies and Larcheveque disclose all the limitations in claim 26, and Larcheveque further discloses that said expression is generated in response to a marking by a user (paragraph [0077]).

Claims 35 – 42 and 48 – 55 incorporate substantially all the limitations of claims 1 – 32 with minor modification in the claimed language. The reasons for rejecting claims 1 – 32 apply to claims 35 – 42 and 48 – 55. Therefore, claims 35 – 42 and 48 – 55 are rejected for the same reasons.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Guheen et al (US 6,615,166) discloses a prioritizing component of a network framework required for implementation of technology.

### **Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YVES DALENCOURT whose telephone number is (571)272-3998. The examiner can normally be reached on M-F 8-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/YVES DALENCOURT/  
Primary Examiner, Art Unit 2457